

## CLAIMS

The present listing replaces all previous listings.

1. (Currently Amended) A battery pack for use with a portable electric power tool, comprising:

a plastic housing having a floor, a circumferential wall extending upward from an outer peripheral edge of the floor and a cap cooperating with an upper outer peripheral region of the circumferential wall to define an enclosed internal cavity;

a relatively soft elastic bumper fixedly attached ~~mounted~~ to the plastic housing and extending about the outer peripheral edge of the floor, and overlying adjacent portions of the floor and circumferential wall; ~~and~~

a plurality of battery cells mounted within the enclosed internal cavity of the plastic housing; and

a relatively soft elastic member within the internal cavity contacting a portion of at least some of the battery cells;

wherein the elastic bumper serves to cushion an impact load exerted on the battery pack and the associated power tool if the battery pack or the electric power tool and battery pack assembly is dropped in an orientation in which the battery pack strikes a hard surface.

2. (Original) The battery pack of claim 1 wherein the elastic bumper is over-molded onto the plastic housing.

3. (Original) The battery pack of claim 1 wherein the housing floor and the housing circumferential wall are formed from an injection molding process, and the elastic bumper is co-molded therewith.

4. (Original) The battery pack of claim 1 wherein the elastic bumper is mechanically interlocked with the plastic housing.

5. (Original) The battery pack of claim 1 wherein the plastic housing includes at least one aperture formed therethrough for receiving a projection of the elastic bumper for mechanically interlocking the elastic bumper thereto.
6. (Original) The battery pack of claim 1 wherein the elastic bumper is affixed to the plastic housing by an adhesive applied therebetween.
7. (Original) The battery pack of claim 1 wherein the elastic bumper is secured to the plastic housing by a frictional fit therebetween.
8. (Original) The battery pack of claim 1 wherein the plastic housing includes a plurality of external ribs for frictional engagement with the elastic bumper.
9. (Original) The battery pack of claim 1 wherein a liquid elastomeric material is sprayed onto the plastic housing to form the elastic bumper.
10. (Original) The battery pack of claim 1 wherein the plastic housing is dipped into a liquid elastomeric material to form the elastic bumper.
11. (Original) The battery pack of claim 1 wherein the elastic bumper is separately formed and fastened to the outer peripheral edge of the plastic housing.
12. (Original) The battery pack of claim 1 wherein the elastic bumper has a nominal wall thickness of 0.3 millimeters to four times a nominal wall thickness of the plastic housing.
13. (Original) The battery pack of claim 1 wherein the elastic bumper has a nominal wall thickness of 0.75 millimeters to 2 millimeters.
14. (Original) The battery pack of claim 1 wherein the elastic bumper has a durometer of 20 Shore O to 80 Shore A.

15. (Original) The battery pack of claim 1 wherein the elastic bumper has a durometer of 20 Shore A to 75 Shore A.
16. (Original) The battery pack of claim 1 wherein the elastic bumper has a static coefficient of friction of 0.5 or greater when cooperating with a smooth, dry planar glass reference surface.
17. (Cancelled)
18. (Previously Presented) The battery pack of claim 1 wherein the annular elastic member has a durometer of 20 Shore O to 80 Shore A and a nominal radial thickness of 0.3 millimeters to four times a nominal wall thickness of the plastic housing.
19. (Original) The battery pack of claim 1 wherein the plastic housing is provided with at least one spring biased latch, which locks the battery pack and the power tool in an assembled state; and wherein at least a portion of the elastic bumper is oriented proximate to the latch.
20. (Original) The battery pack of claim 19 wherein the latch projects from the housing a predefined distance when the spring is compressed, and the at least a portion of the elastic bumper has a thickness that is greater than the predefined distance.
21. (Original) The battery pack of claim 1 wherein the cap is provided with a tapered guide-way for releasably receiving a cooperating mounting flange on the power tool, when a power tool is moved relative to the battery pack, along a longitudinal axis which is generally parallel to the floor of the battery pack.
22. (Original) The battery pack of claim 21 wherein the tapered guide-way tapers in both a transverse and vertical direction to accommodate a slight misalignment of the power tool and battery pack during assembly.

23. (Original) The battery pack of claim 22 wherein the cap of the battery pack is provided with a spring biased latch, which locks the battery pack and the power tool in an assembled state, wherein the spring biased latch has a latch force during assembly which is less than the static frictional force exerted by the battery pack when placed upon a smooth dry planar horizontal glass reference surface, thereby enabling a user to install the battery pack while placed on a horizontal surface onto the power tool using one hand.

24. (Original) The battery pack of claim 23 wherein the guide-way tapers 1° to 25° transversely relative to a central longitudinal axis parallel to the floor.

25. (Original) The battery pack of claim 23 wherein the guide-way tapers 1° to 25° vertically relative to a central longitudinal axis parallel to the floor.

26. (Currently Amended) A battery pack for use with a portable electric power tool, comprising:

a plastic housing having a floor, a circumferential wall extending upward from an outer peripheral edge of the floor and a cap cooperating with an upper outer peripheral region of the circumferential wall to define an enclosed internal cavity;

a relatively soft elastic bumper fixedly attached external ~~mounted externally~~ to the plastic housing; ~~and~~

a plurality of battery cells mounted within the enclosed internal cavity of the plastic housing;

a relatively soft elastic member within the internal cavity contacting a portion of at least some of the battery cells; and

at least one spring biased latch, which locks the battery pack and the power tool in an assembled state;

wherein at least a portion of the elastic bumper is oriented proximate to the latch and the elastic bumper serves to cushion an impact load exerted on the battery pack and the associated power tool if the battery pack or the electric power tool and battery

pack assembly is dropped in an orientation in which the battery pack strikes a hard surface.

27. (Original) The battery pack of claim 26 wherein the elastic bumper is mounted to the plastic housing floor.

28. (Original) The battery pack of claim 26 wherein the elastic bumper overlies portions of the floor and circumferential wall.

29. (Original) The battery pack of claim 26 wherein the elastic bumper extends about the outer peripheral edge of the floor.

30. (Cancelled)

31. (Cancelled)

32. (Previously Presented) The battery pack of claim 1 further comprising a plurality of vents in the cap of the battery pack.

33. (Previously Presented) The battery pack of claim 1 further comprising a plurality of vents in the floor of the battery pack.

34. (Previously Presented) The battery pack of claim 26 further comprising a plurality of vents in the cap of the battery pack.

35. (Previously Presented) The battery pack of claim 26 further comprising a plurality of vents in the floor of the battery pack.

36. (Previously Presented) The battery pack of claim 21 further comprising a first electrical connector disposed within the tapered guide-way, which electrically connects to the battery cells.

37. (Currently Amended) The battery pack of claim ~~36~~ 35 wherein the mounting flange includes a second electrical connector for mating engagement with the first electrical connector.

38. (New) A battery pack for use with a portable electric power tool, comprising:

a plastic housing having a floor, a circumferential wall extending upward from an outer peripheral edge of the floor and a cap cooperating with an upper outer peripheral region of the circumferential wall to define an enclosed internal cavity;

a relatively soft elastic bumper non-removably attached to the plastic housing and extending about the outer peripheral edge of the floor, and overlying adjacent portions of the floor and circumferential wall;

a plurality of battery cells mounted within the enclosed internal cavity of the plastic housing; and

a relatively soft elastic member within the internal cavity contacting a portion of at least some of the battery cells;

wherein the elastic bumper serves to cushion an impact load exerted on the battery pack and the associated power tool if the battery pack or the electric power tool and battery pack assembly is dropped in an orientation in which the battery pack strikes a hard surface.